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ELI LILLY AND COMPANY

16 UNITED STATES DISTRICT COURT  
17  
18 NORTHERN DISTRICT OF CALIFORNIA  
19  
20 SAN FRANCISCO DIVISION

20 STATE OF CALIFORNIA *ex rel.* JAYDEEN ) Case No. 07-04911 SI  
VICENTE and JAYDEEN VICENTE )  
21 Individually, ) Assigned to: Hon. Susan Illston  
)  
22 Relators, ) **CERTIFICATE OF SERVICE**  
)  
23 v. )  
24 )  
)  
25 ELI LILLY AND COMPANY, )  
)  
26 Defendant. )  
27 \_\_\_\_\_ )

28  

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CERTIFICATE OF SERVICE  
CASE NO. 07-04911 SI

I am employed in the County of San Francisco, State of California. I am over the age of 18 and not a party to the within action. My business address is Sidley Austin LLP, 555 California Street, San Francisco, California 94104.

On September 28, 2007, I served the foregoing document(s) described as:

- 1 **NOTICE OF MOTION AND MOTION TO DISMISS UNDER**
- 2 **RULES 12(b)(1), 12(b)(6) AND 9(b); MEMORANDUM OF**
- 3 **POINTS & AUTHORITIES IN SUPPORT THEREOF;**
- 4 **REQUEST FOR JUDICIAL NOTICE IN SUPPORT OF**
- 5 **MOTION TO DISMISS PURSUANT TO FED. R. CIV. P.**
- 6 **12(b)(1), 12(b)(6) AND 9(b);**
- 7 **DECLARATION OF PAUL L. YANOSY IN SUPPORT OF**
- 8 **REQUEST FOR JUDICIAL NOTICE IN SUPPORT OF**
- 9 **MOTION TO DISMISS PURSUANT TO FED. R. CIV. P.**
- 10 **12(b)(1), 12(b)(6) AND 9(b);**
- 11 **[PROPOSED] ORDER GRANTING DEFENDANT ELI LILLY**
- 12 **AND COMPANY'S MOTION TO DISMISS UNDER RULES**
- 13 **12(b)(1), 12(b)(6) AND 9(b) WITH PREJUDIC; AND**
- 14 **PROOF OF SERVICE**

on all interested parties in this action as follows:

☒ (E-MAIL) I caused the document(s) to be delivered by e-mail to each interested party as shown below.

Nancy Hirsh, Esq., State Bar No. 49091  
 Mark E. Burton, Jr. Esq., State Bar No. 178400  
 Rachel Abrams, Esq., State Bar No. 209316  
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 (415) 441-5544

☒ (BY FEDERAL EXPRESS) I served the foregoing document(s) by Federal Express as follows: I placed true copies of the document(s) in a sealed envelope addressed to each interested party as shown below. I placed each such envelope for collection and mailing at Sidley Austin LLP, San Francisco, California. I am readily familiar with the Firm's practice for collection and processing of correspondence for mailing via Federal Express (an express service carrier which provides overnight delivery). Under that practice, the sealed, addressed envelope(s) are delivered to an authorized courier or driver authorized by Federal Express the same date they are collected and processed, with all charges paid.

**CERTIFICATE OF SERVICE**  
**CASE NO. 07-04911 SI**

1 Mark Zahner, Chief Prosecutor, State Bar No. 137732  
2 Brian V. Frankel, Supervising Attorney General, State Bar No. 116802  
3 1455 Frazee Road, Suite 315  
4 San Diego, CA 92108  
5 (619) 688-6065

6 I declare under penalty of perjury under the laws of the State of California that  
7 the above is true and correct.

8 Executed on September 28, 2007, at San Francisco, California.

9 By:



Gabriela Rodriguez